

product. Upon motion of the claimant, the fourth paragraph of the libel charging violation of Section 402 (a) (4), was stricken.

On April 29, 1948, the claimant having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregation of any portion that, upon further examination, was found to be fit for human consumption as food, and the further segregation of those portions of the product that were rejected as unfit for sale in its present state as food, into those portions that might be utilized for making wine and into those that might be suitable for distillation, and, in addition, the destruction of any that might be found unfit for such purposes.

The portion of the product that showed fermentation only was converted into wine, and the portion that contained moldy berries was used in the manufacture of distilled spirits. The conversion and distillation operations were completed on or about October 7, 1949.

MISCELLANEOUS FRUIT PRODUCTS*

16280. Adulteration and misbranding of grape jelly. U. S. v. Edward S. Ridgway. Plea of guilty. Fine, \$500. Defendant placed on probation for 3 years. (F. D. C. No. 23568. Sample Nos. 39848-H to 39850-H, incl.)

INDICTMENT RETURNED: March 7, 1949, Eastern District of Illinois, against Edward S. Ridgway, Salem, Ill.

ALLEGED SHIPMENT: On or about January 24, 1947, from the State of Illinois into the States of Missouri and Arkansas.

LABEL, IN PART: "Ridgway's Old Fashioned Grape Jelly."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent of grape jelly, namely, grape juice, had been in part omitted from the product.

Misbranding, Section 403 (g) (1), (one count) the product failed to conform to the definition and standard of identity for grape jelly since it was made from a mixture composed of less than 45 parts by weight of the fruit juice ingredient, grape juice, to each 55 parts by weight of one of the optional saccharine ingredients specified in the definition and standard, and the mixture had not been concentrated by heat to such a point that the soluble-solids content of the food was not less than 65 percent; and, further, the food contained artificial grape flavor and an artificial color, amaranth, which are not permitted as optional ingredients in the definition and standard.

DISPOSITION: July 21, 1949. A plea of guilty having been entered, the defendant was fined \$500 on one count of the indictment. Sentence was suspended on the remaining counts, and the defendant was placed on probation for 3 years.

16281. Adulteration of canned blueberry pie mix. U. S. v. 15 Cases * * *. (F. D. C. No. 28929. Sample No. 50977-K.)

LIBEL FILED: April 4, 1950, District of Oregon.

ALLEGED SHIPMENT: On or about February 17, 1950, by Chun King Sales, Inc., from Duluth, Minn.

PRODUCT: 15 cases, each containing 24 1-pound, 4-ounce cans, of blueberry pie mix at Portland, Oreg.

LABEL, IN PART: (Can) "Native Brand Blueberry Pie Mix."

*See also No. 16251.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy berries.

DISPOSITION: June 21, 1950. Default decree of condemnation and destruction.

VEGETABLES AND VEGETABLE PRODUCTS

16282. Misbranding of canned green beans. U. S. v. 200 Cases * * * (and 3 other seizure actions). (F. D. C. Nos. 26454 to 26457, incl. Sample No. 36584-K.)

LIBELS FILED: February 8, 1949, Territory of Hawaii.

ALLEGED SHIPMENT: On or about January 14, 1949, by Kolstad Canneries, Inc., Silverton, Oreg.

PRODUCT: 650 cases, each containing 6 6-pound, 5-ounce cans, of green beans at Honolulu, T. H.

LABEL, IN PART: "Silco Brand Blue Lake Green Beans Ends and Cut Pieces."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned cut green beans since it contained an excessive number of tough strings.

DISPOSITION: The shipper having admitted the allegations of the libels and having relabeled the products in compliance with the law, an order of discontinuance was entered on November 10, 1949, upon motion of the Government.

16283. Adulteration of canned corn. U. S. v. 755 Cases * * *. (F. D. C. No. 28244. Sample No. 1881-K.)

LIBEL FILED: October 31, 1949, Southern District of Florida.

ALLEGED SHIPMENT: On or about May 25, 1949, by the J. B. Inderrieden Co., from Hampshire, Ill.

PRODUCT: 755 cases, each containing 36 1-pound, 1-ounce cans, of corn at Miami, Fla.

LABEL, IN PART: (Can) "Peter-Pan Cream Style Golden Sweet Corn."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of worms and worm parts.

DISPOSITION: June 8, 1950. Default decree of forfeiture and destruction.

16284. Adulteration of canned peas. U. S. v. 219 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 28802, 28849. Sample Nos. 54503-K, 54527-K.)

LIBELS FILED: January 23, 1950, and on or about February 14, 1950, Middle and Southern Districts of Alabama.

ALLEGED SHIPMENT: On or about July 19, 1949, by the Whitewater Canning Co., from Whitewater, Wis.

PRODUCT: Canned peas. 219 cases at Petrey, Ala., and 22 cases at Selma, Ala. Each case contained 24 1-pound, 4-ounce cans.

LABEL, IN PART: "Whitewater Wisconsin Tiny Size 1 Early June Peas."